## EX PARTE OR LATE FILED



Ben G. Almond Executive Director-Federal Regulatory

December 8, 1994

Suite 900 1133-21st Street, N.W. Washington, D.C. 20036 202 463-4112 Fax: 202 463-4198

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Mr. William F. Caton **Acting Secretary** Federal Communications Commission

1919 M Street, NW, Room 222

Washington, DC 20554

RE:

JUKET EITE LUCH OMKEUNNT Dockets 94-103, 94-105/and 94-107 Petitions of the States of Hawaii, California and Louisiana, respectively for Rate Regulation of Commercial Mobile Radio Services

Dear Mr. Caton:

On November 29, 1994 BellSouth dutifully filed with the Federal Communications Commission (FCC) ex parte on the above referenced proceeding.

The attached letter and accompanying attachment represent documents that are now being delivered to Michael Wack and Regina Harrison of the FCC as follow-up information requested by the FCC during the referenced ex-parte.

Please associate this additional information with the associated docket proceedings.

If there are any questions in this regard, please contact the undersigned.

Sincerely, Sen & almond

Ben G. Almond

Executive-Federal Regulatory

Attachment

cc:

Michael Wack Doron Fertiz Regina Harrison Julia Kogan Jewell Elliott

List A B C D E



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Mr. Michael Wack
Federal Communications Commission
Deputy Division Chief
Policy Division-Wireless Telecommunications Bureau

RE: State Petition of Louisiana to Regulate Cellular Mobile Carriers

Dear Mr. Wack:

During our recent ex-parte on November 29, 1994 to discuss the above referenced subject, it was requested that we provide a document from the state of Louisiana which indicates deferral of their proceeding on Rate of Return regulation for cellular mobile carriers.

The attached document is a copy of the Louisiana's PUC minutes from their November 9, 1994 open session. Item U-21027 on the third page provides the requested substantiation of their deferral decision.

Please contact me if you need additional information.

Sincerely,

Ben G. Almond

**Executive Director-Federal Regulatory** 

Attachment (3 pages)

cc: Regina Harrison

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## MINUTES FROM NOVEMBER 4, 1994

FOUNDS MALINENS NOT LA DELLEVE

MINUTES OF MOVEMBER 9, 1994 OPEN SESSION OF THE LOUISIANA PUBLIC SERVICE COMMISSION END IN BATCH ROUGE, LOUISIANA. PRESENT: CHAIRMAN KATHLER B. BLANCO, VICE CRAIRMAN JOHN F. SCHWEGHAMN, COMMISSIONERS DON OWEN, THOMAS B. POWELL, AND IRMA MUSE DIREN ALONS WITH ASSISTANT SECRETARY BRIAN EDDIRENON.

Open Session of Hovember 9, 1994 convened at 9:20 A.M., adjourning at 4:40 F.W. in the Mershell Burton Brinkley Anditorium, 16th Floor, One American Place, Corner of Borth and Fourth Streats, Baton Rouge, Louisians with the above-named members of the Commission and Assistant Secretary Brian Eddington.

Discussion of the development of new guidelines and procedures for intrastate transportation.

Transportation Director Kenneth Adams reported to the Commission on the development of new guidelines and procedures for intrastate transportation following resent legislation. Senior Staff Atternay Devitis advised the new guidelines would be published in the Commission's Official Bullstin. This matter will be returned to the December Agenda for Commission consideration and decision.

T-21142 - Louisiana Public Service Commission vs. Jubt Eria Distributing (Graham, North Carolina). In re: Alleged violation of Title 45, Chapter 4 of the Revised Statutes of 1950, as amended, by failing to identify meter vehicles being operated in interstate commerce in Louisians as required by the Commission's Camarai Order dated September 7, 1972, as amended.

On motion of Commissioner Oven, seconded by Commissioner Dixon, and unenimously adopted, the Commission voted to accept the Staff recommendation and found the Company guilty and fined it in the amount of \$215.00 and ordered the two bonds posted in said amounts forfeited.

T-21129 - Louisiana Public Service Commission vs. Grayline of Houston (Houston, Taxas). In re: Alleged violation of Title 45, Chapter 4 of the Revised Statutes of 1950, as amended, by operating for-hire by motor vahials without authority of the Commission.

On notice of Commissioner Over, seconded by Commissioner Nizzm, and unanisovely adopted, the Commission veted to accept the Staff recommendation and found the Company guilty and fined it in the amount of \$250.00 to be paid within 15 days from the date of the Order.

T-21159 - Louisiana Public Service Commission vs. Bob Belin Services, Inc. (Florisamt, Hissouri). In re: Alleged violation of Title 45, Chapter 4 of the Revised Statutes of 1950, as anended, by failing to register vehicles being operated in interstate commerce in Louisiana as required by the Commission's Seneral Order dated September 7, 1973, as amended.

On notion of Commissioner Owen, seconded by Commissioner Direct, and Unanisously adopted, the Commission voted to accept the Staff recommendation and found the Company guilty and fined it in the amount of \$500.00, and ordered the bond posted in said amount forfeited.

Order No. U-17949-E. Be: Review of SGB's Incentive Plan (at request of Commissioners Sahvagmann and Dimon)

Action deferred.

U-20916 - Vashington-St. Taxway Electric Cooperative, Inc. vs. Central Louisiana Blactric Gompany, Inc. In re: Alleged violation of LBS 45:123, by offering electric service to Kunny Rogers Roasters Restaurant, Gauss Blvd., Slideti, Louisians, within 500 feet of Washington-St. Taumany Riestric Cooperative, Inc.'s electric line.

> On motion of Commissioner Schwegnam, seconded by Commissioner Dixes, with Commissioners Blanco and Powell concurring, and Commissioner Oven dissenting, the Commission voted that this was a austomer choice situation with no exclusive right granted to either party; therefore, GLECO will be permitted to serve this emstamer and this dealer is hereby dismissed.

U-20881 - Alma Plantation, Ltd. vs. Gulf States Utilities Company. In re: Alleged over-billing for electric service under rate schedule LGS and Rider SS applicable to Alma Plantation, Ltd., Lakeland, Louisiana.

> On notion of Commissioner Powell, seconded by Commissioner Dixon, with Commissioners Blanco and Owen concurring, and Commissioner Schragnenn eleteining, the Commission voted to dismiss this compleint case.

Seneral Order dated July 29, 1994 - Re: Itemised Billing by Collular Carriers for Local Galis Hade by its customers.

Re: Request for Rehearing filed by

(1) Shrawaport Gellular Telaphone Co. Lafayette Gellular Telephone Co. Montoe Callular Limited Partnership

(2) Jamet Boles, Esq. on behalf of certain other cellular services

Commissioner Oven moved to demy the Requests for Rebesting, with Countesioner Dixon seconding, Subsequently Countesioner Dixon withdrey her second.

Commissioner Dixon moved to grant reheating and schedule a formal Commission hearing on this matter. Commissioner Blense seconded Commissioner Dixon's notion,

Commissioner Owen offered a substitute motion to damy the Requests for rehearing but received no second.

Coumissioner Dimen relterated her previous motion to parmit reconsideration of the Order recently adopted requiring all collular service providers to offer itemized bills on a non-charge basis, and requesting that a formal hearing be held, accomded by Commissioner Blames, with Commissioners Schwagnann and Powell concurring, and Coumissioner Oven dissenting.

Central Louisiana Electric Company, Inc.'s application of extension of previously authorized agreements.

On motion of Commissioner Powell, seconded by Commissioner Dixon, and unanimously adopted, the Commission approved the application.

Contury Telephone Co., Inc. In re: Application to obtain authority to borrow additional funds.

On motion of Commissioner Powell, seconded by Commissioner Dixon, and unanimously adopted, the Commission approved the application.



U-21027 - Louisians Public Service Gosmission, ax parts. In re: A generic hearing to investigate and evaluate, through the hearing process, the merits of regulating callular mobils carriers and other vireless communication providers on a rate of return basis and to recommend the types of regulation that should be exercised by the Commission over the carriers.

Ra: Retention of Special Counsel and Consultants

On metion of Commissioner Sience, seconded by Commissioner Dixon, with Commissioner Fewell concurring, and Commissioner Schwagmann and Owen dissenting, the Commission voted to delay consideration of the retention of Special Commel and Commutants until such time as the FCC declarses a national policy on the regulation of Collular Service Providers by the States.

U-17949 - (Subdeakst-D) - Louisians Public Service Commission, ox parts.
Application of South Control Bell to Modify the Nothedology of
Regulation.

On metian of Commissioner Oven, seconded by Commissioner Sience, and unmineusly adopted, the Commission Voted to except Special Commeti's Report and reject Sail's proposal, any further nonsideration of the subject matter of Subdockst-D to be considered as a portion of engoing proceedings in Subdockst-E.

U-20784 - Louisians Public Service Commission, Ex parte. In re: Global Telecoin, Inc./Global Tel\*Link Corporation's billing procedures and non-sempliance with Commission Drians U-17957-B and U-17957-C and investigation into the rates charged and service provided by Global Telecoin, Inc./Global Tel\*Link Comp.

Re: Reaffirmation of COCOT Guideline (Grdar No. U-16462) Prohibiting billing of calls more than 60 days in arrears. Specific directive to Global Telebink Corporation

Report of Special Counsel Zimmering

On motion of Gommissioner Dixon, seconded by Gommissioner Blance, and unanimously adopted, the Gommisson voted to instruct Global Telcoin, Inc./Global Tel\*Link Gorp. to cease billing beyond 60 days and adhere to the existing PSC Guidalines in accordance with Order U-16462.

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